IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTIETH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

-

WRIT PETITION NO : 15675 of 2005

Between:

Epuri China Appala Raju, s/o Appala Raju, Occ: Cultivation, r/o D.No.1-58, A.V.Nagaram, Gollaprolu Mandal, East Godavari District.

..... PETITIONER

AND

1 The Chairman and Managing Director, A.P.E.P.D.C.L., Visakhapatnam.
2 Chief Engineer, Operation, A.P.E.P.D.C.L., Visakhapatnam.
3 Divisional Engineer, Operation, A.P.E.P.D.C.L., Kakinada, E.G.District.
4 Additional Assistant Engineer, Operation, A.P.E.P.D.C.L., Pithapuram, East Godavari District.
5 The Assistant Engineer, A.P.E.P.D.C.L., Gollaprolu, East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction especially one in the nature of writ of mandamus, declaring the action of the respondents in disconnecting the power supply to S.C.No.3391 belonging to E.Ch.A.Raju, situated in A.V.Nagaram, Gollaprolu Mandal, East Godavari District, even without issuing a notice giving 15 days time which is mandatory according to section 56 of the Indian Electricity Act as illegal, arbitrary, capricious and violative of principles of natural justice.

Counsel for the Petitioner: MR.S.SUBBA REDDY

Counsel for the Respondents: MR.V.AJAYAKUMAR

The Court at the stage of admission made the following:

ORAL ORDER:

The grievance of the petitioner in this Writ Petition is that without his being put on notice, power supply has been disconnected.

2. The learned Standing Counsel appearing for the respondents submits that each month's bill itself contains the notice requiring the consumer to pay the amount due. Learned counsel for the petitioner submits that, this question does not call for examination since the petitioner is now ready and willing to pay the entire arrears, of electricity dues, if the said sum is intimated to him and that the petitioner is willing to approach the 5th respondent within ten days of receipt of a copy of the order and make payment of arrears of the entire electricity dues on intimation of such dues by the 5th respondent. Learned counsel seeks a direction that the 5th respondent be required to forthwith restore power connection on payment of the amounts due.

3. There shall be a direction to the 5th respondent to intimate the actual electricity arrears due to be paid by the petitioner within one week of his approaching the 5th respondent, and on payment of such arrears and other charges in this regard, power supply to the petitioner be restored within one week thereafter.

4. The Writ Petition is disposed of accordingly. No costs.

20.7.2005

SSR

Issue copy in two days.

To

1 The Chairman and Managing Director, A.P.E.P.D.C.L., Visakhapatnam.
2 Chief Engineer, Operation, A.P.E.P.D.C.L., Visakhapatnam.

3 Divisional Engineer, Operation, A.P.E.P.D.C.L., Kakinada, E.G.District.
4 Additional Assistant Engineer, Operation, A.P.E.P.D.C.L., Pithapuram, East Godavari District.
5 The Assistant Engineer, A.P.E.P.D.C.L., Gollaprolu, East Godavari District.

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